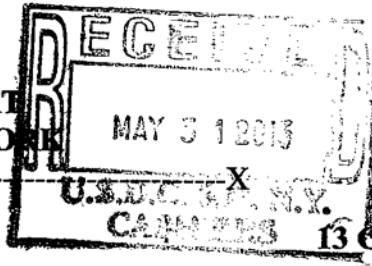


EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



KERRY ASHDOWN,

Plaintiff,

-against-

**SECOND AMENDED
COMPLAINT**

EQUINOX *a/k/a*
EQUINOX FITNESS CLUB *and incorporated as*
EQUINOX HOLDINGS, INC.,
JOE MATARAZZO *a/k/a* JOSEPH MATARAZZO,
MAURO MAIETTA,
LAWRENCE SANDERS,
MATT PLOTKIN *a/k/a* MATTHEW PLOTKIN, *and*
MATT HERBERT *a/k/a* MATTHEW HERBERT,

Defendants.

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Plaintiff, Kerry Ashdown, by her attorneys, The Harman Firm, PC, in this Second Amended Complaint, alleges as follows:

PARTIES AND NATURE OF ACTION

1. This case is about gender discrimination, disability discrimination and perceived disability. Ms. Ashdown, who worked as a Personal Training Manager in a male-dominated arena, and who ultimately developed cancer, was terminated from her job because of her gender and because she was illegally perceived to be incapable of performing her job duties because of her health.

2. This action seeks damages for discrimination based on gender, disability discrimination, and contractual and statutory violations related to Plaintiff's immigration status, hostile work environment under the New York City Human Rights Law ("NYCHRL"), which is codified at N.Y.C. ADMIN. CODE §§ 8-101-31. This action also seeks damages for aiding and abetting illegal discrimination under the NYCHRL.

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WHEREFORE, Plaintiff demands judgment against Defendants as follows:

(i) A judgment and an award of no less than three million five hundred thousand dollars (\$3,500,000),¹⁰ consisting of:

- (a) Compensatory damages for lost income;
- (b) Past employment benefits;
- (c) Future employment benefits;
- (d) Damages for emotional distress;
- (e) Punitive damages;
- (f) Exemplary damages;
- (g) Attorneys' fees;
- (h) Pre-judgment interest;
- (i) Post-judgment interest; and,
- (j) Such further relief as this Honorable Court may deem just, equitable, and proper.

Dated: New York, New York
May 24, 2013

By: THE HARMAN FIRM, PC
Counsel for Plaintiff


Walker G. Harman, Jr.
200 West 57th Street, Suite 900
New York, New York 10019
(212) 425-2600
wharman@theharmanfirm.com

¹⁰ Seven (7) Causes of Action each seek damages of five hundred thousand dollars (\$500,000). *I.e.*, Plaintiff seeks a judgment and award of no less than three million five hundred thousand dollars (\$3,500,000) *in toto*.